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Working Group on Children and Armed Conflict

Conclusions on children and armed conflict in the Democratic Republic of the Congo

1. At its 72nd meeting, on 5 July 2018, the Security Council Working Group on Children and Armed Conflict examined the sixth report of the Secretary-General on children and armed conflict in the Democratic Republic of the Congo (S/2018/502), which was introduced by the Special Representative of the Secretary-General for Children and Armed Conflict. A representative of the Democratic Republic of the Congo also addressed the Working Group.

2. The members of the Working Group welcomed the submission of the report of the Secretary-General, in accordance with Security Council resolutions 1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012), 2143 (2014), 2225 (2015) and 2427 (2018), and took note of the analysis and recommendations contained therein.

3. The members of the Working Group welcomed the efforts of the Government of the Democratic Republic of the Congo to protect children, in particular the progress made on ending and preventing child recruitment and use, and strongly urged the Government of the Democratic Republic of the Congo to swiftly, fully and effectively implement the aspects of the action plan relating to ending and preventing sexual violence and other grave violations against children by the national armed and security forces. The members of the Working Group strongly condemned all violations and abuses committed against children and expressed grave concern at the scale and nature of continued violations and abuses against children and about the lack of accountability. They also stressed the importance of adopting a comprehensive approach that addresses the root causes of conflict.

4. Further to the meeting, and subject to and consistent with applicable international law and relevant Security Council resolutions, including resolutions 1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012), 2143 (2014), 2225 (2015) and 2427 (2018), the Working Group agreed to the direct action as set out below.

Public statement by the Chair of the Working Group

5. The Working Group agreed to address the following message to all parties to the armed conflict in the Democratic Republic of the Congo, in particular the Forces armées de la République Démocratique du Congo (FARDC), the Forces démocratiques de libération du Rwanda (FDLR), the Forces de résistance patriotique en Ituri (FRPI), Nduma défense du Congo-Rénové (NDC-R), Kamuina Nsapu, Bana Mura, various

Mayi-Mayi groups and the Allied Democratic Forces (ADF), as mentioned in the report of the Secretary-General, through a public statement by its Chair:

(a) Strongly condemning all violations and abuses that continue to be committed against children in the Democratic Republic of the Congo, urging them to immediately end and prevent all violations of applicable international law involving the recruitment and use of children, abduction, killing and maiming, rape and other forms of sexual violence, attacks on schools and hospitals and denial of humanitarian access and to comply with their obligations under international law;

(b) Calling upon them to further implement previous conclusions of the Working Group on Children and Armed Conflict in the Democratic Republic of the Congo (S/AC.51/2007/17, S/AC.51/2009/3, S/AC.51/2011/1, and S/AC.51/2014/3);

(c) Stressing that all perpetrators of such acts must be swiftly brought to justice and held accountable, including through timely and systematic investigation, prosecution and, as appropriate, conviction, and noting that some of the above-mentioned acts are prohibited and criminalized under Law No. 09/001 on the protection of the child, adopted by the Government of the Democratic Republic of the Congo on 10 January 2009, including the recruitment and use of children by national armed forces or non-State armed groups;

(d) Further noting that on 19 April 2004 the Government of the Democratic Republic of the Congo referred the situation in the Democratic Republic of the Congo to the Prosecutor of the International Criminal Court, and that some of the acts mentioned in 5 (a) may amount to crimes under the Rome Statute of the International Criminal Court, to which the Democratic Republic of the Congo is a State party;

(e) Strongly urging all armed groups to immediately and without preconditions release all children associated with them and end and prevent further recruitment and use of children;

(f) Expressing grave concern about the high number of rapes and other forms of sexual violence perpetrated against children, including displaced children, strongly urging all parties to the armed conflict to take immediate and specific measures to put an end to and prevent the perpetration of rape and other forms of sexual violence against children by members of their respective groups, and stressing the importance of accountability for those who commit sexual and gender-based violence against children;

(g) Expressing deep concern at the high number of children killed and maimed, including through the disproportionate use of force and targeting of children in the Kasais, including as a direct or indirect result of hostilities between parties to armed conflict and of incidents of indiscriminate attacks against civilian populations, including the use of children as human shields, and urging all parties to comply with their obligations under international humanitarian law, in particular the principles of distinction and proportionality and the obligation to take all feasible precautions to avoid and in any event minimizing harm to civilians and civilian objects;

(h) Calling upon all parties to the armed conflict to comply with applicable international law and to respect the civilian character of schools and hospitals, including their personnel, and to end and prevent attacks or threats of attacks against those institutions and their personnel as well as the military use of schools and hospitals in violation of applicable international law;

(i) Calling upon all parties to the armed conflict to allow and facilitate full, safe and unhindered humanitarian access to children, consistent with the United Nations guiding principles of humanitarian assistance, respect the exclusively humanitarian nature and impartiality of humanitarian aid and respect the work of all

United Nations humanitarian agencies and their humanitarian partners, without distinction;

(j) Expressing its deep concern about the continued presence and ongoing destabilizing activities in the Democratic Republic of the Congo of an increasing number of armed groups and their harmful impact on children, in particular, FDLR, NDC-R, Kamuina Nsapu, Bana Mura, various Mayi-Mayi groups, FRPI and ADF, and other armed groups;

(k) Further calling upon all non-State armed groups to publicly express their commitment to end and prevent all violations and abuses committed against children, and to expeditiously develop, adopt and implement action plans in line with Security Council resolutions 1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012), 2143 (2014), 2225 (2015) and 2427 (2018) if they are listed in annex I to the report of the Secretary-General on children and armed conflict;

(l) Recalling in this regard that four of those non-State armed groups, FDLR, FRPI, Alliance des patriotes pour un Congo libre et souverain (APCLS) and the Mayi-Mayi "Lafontaine" and "Simba" and former elements of the Coalition des patriotes résistants congolais (PARECO) and the Lord's Resistance Army (LRA) have been listed in annex I to the report of the Secretary-General on Children and Armed Conflict for at least five years;

(m) Welcoming the progress made by FARDC in completing the aspects relating to ending and preventing child recruitment and use in their *Action Plan to end and prevent the recruitment and use of children, sexual violence and other grave violations against children*, and calls on the Government to sustain the progress on the implementation of the action plan relating to ending and preventing the recruitment and use of children including through the implementation of standard operating procedures on age assessment, the institutionalization of procedures put in place under the action plan and the fight against impunity for child recruitment and use, including within the ranks of its security forces;

(n) Strongly urging the Government of the Democratic Republic of the Congo to swiftly, fully and effectively implement the aspects of the action plan relating to ending and preventing sexual violence by FARDC, including the fight against impunity, including at the provincial level;

(o) Welcoming the work of the Government of the Democratic Republic of the Congo presidential adviser on sexual violence and child recruitment, and encouraging her to continue to promote close coordination and cooperation among national authorities and international partners involved in fighting sexual violence and recruitment and use of children in the Democratic Republic of the Congo;

(p) Commending the Government of the Democratic Republic of the Congo for its endorsement of the Safe Schools Declaration and the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict and calling for their swift implementation, and encouraging the Government to ensure that attacks on schools are investigated and that those responsible are duly prosecuted;

(q) Encouraging the Government to focus on long-term and sustainable reintegration and rehabilitation opportunities for children affected by armed conflict that are gender- and age-sensitive, including equal access to health care, psychosocial support and education programmes, as well as raising awareness and working with communities to avoid stigmatization of these children and facilitate their return, while taking into account the specific needs of girls and boys, in order to contribute to the well-being of children and to sustainable peace and security;

(r) Urging those who are or will be engaged in peace talks and agreements to ensure that child protection provisions, including the release and reintegration of children, as well as provisions on the rights, well-being and empowerment of children, are integrated into the peace talks and agreements, and taking into account children's views, where possible, in these processes;

(s) Recalling that the Security Council, by its resolution 2424 (2018), renewed until 1 July 2019 the arms embargo, financial and travel measures applied pursuant to resolutions 1596 (2005), 1649 (2005), 1698 (2006) and 1807 (2008), in relation to individuals and, as appropriate, entities, designated by the Committee established pursuant to resolution 1533 (2004), which include:

(i) Individuals or entities operating in the Democratic Republic of the Congo and recruiting or using children in armed conflict in violation of applicable international law;

(ii) Individuals or entities operating in the Democratic Republic of the Congo and involved in planning, directing or participating in committing acts that constitute human rights violations or abuses or violations of international humanitarian law, as applicable, including those acts involving the targeting of civilians, including killing and maiming, rape and other sexual violence, abduction, forced displacement and attacks on schools and hospitals;

(iii) Individuals or entities obstructing the access to or the distribution of humanitarian assistance in the Democratic Republic of the Congo;

(t) Further recalling that on 1 February 2018 the Committee added the names of four individuals to its sanctions list, two of whom were listed pursuant to paragraph 7 (e) of resolution 2293 (2016), as detailed in paragraph 5 (s) (ii) above, that on 31 August 2010, the Committee had updated its sanctions list to include the charges of recruitment and use of children against nine individuals already included in the list of individuals and entities subject to the travel ban and assets freeze imposed by paragraphs 13 and 15 of resolution 1596 (2005), as renewed by paragraph 3 of resolution 1896 (2009), and that between 1 December 2010 and 30 June 2014 the Committee added seven individuals and two entities to the list for reasons including the recruitment, use and/or targeting of children;

(u) Recalling the Working Group's readiness to communicate to the Security Council pertinent information with a view to assisting the Council in the imposition of targeted measures on persistent perpetrators.

6. The Working Group agreed to address a message, through a public statement by the Chair of the Working Group, to community and religious leaders:

(a) Emphasizing the important role of community and religious leaders in strengthening the protection of children affected by armed conflict;

(b) Urging them to publicly condemn and continue to advocate ending and preventing violations and abuses against children, in particular those involving the recruitment and use of children, rape and other forms of sexual violence against children, abductions, attacks and threats of attacks against schools and hospitals, and to engage with the Government, the United Nations and other relevant stakeholders to support the reintegration and rehabilitation of children affected by armed conflict in their communities, including by raising awareness to avoid stigmatization of such children.

Recommendations to the Security Council

7. The Working Group agreed to recommend that the President of the Security Council transmit a letter addressed to the Government of the Democratic Republic of the Congo:

(a) Welcoming the efforts made in the Democratic Republic of the Congo since the previous conclusions of the Working Group, in particular the completion of the aspects relating to ending and preventing child recruitment and use of the *Action Plan to end and prevent the recruitment and use of children, sexual violence and other grave violations against children*, and calling upon the Government to sustain the progress on the implementation of the action plan to end and prevent the recruitment and use of children, including through the implementation of standard operating procedures on age assessment, the institutionalization of procedures put in place under the action plan and the fight against impunity for child recruitment and use, including within the ranks of its security forces;

(b) Welcoming the work of the Government of the Democratic Republic of the Congo presidential adviser on sexual violence and child recruitment and the exclusion of serious crimes against children such as their recruitment and use and sexual violence from the Amnesty Law adopted on 11 February 2014 and progress, since the signing of the Action Plan, in the provision of access for the United Nations country task force on monitoring and reporting to military and detention facilities with a view to identify and separate children;

(c) Commending the Government of the Democratic Republic of the Congo for its endorsement of the Safe Schools Declaration and the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict, calling for their swift implementation, and encouraging the Government to ensure that attacks on schools are investigated and that those responsible are duly prosecuted;

(d) Stressing the primary role of the Government of the Democratic Republic of the Congo in providing protection and relief to all children affected by armed conflict in the Democratic Republic of the Congo, and recognizing the importance of strengthening national capacities in this regard;

(e) Expressing concern about continued violations committed against children by the national armed and security forces, and strongly urging the Government of the Democratic Republic of the Congo to swiftly, fully and effectively implement the aspects of the action plan relating to ending and preventing sexual violence by FARDC, including at the provincial level;

(f) Expressing deep concern at the large number of children killed and maimed, including through the disproportionate use of force and targeting of children in the Kasais by the national security forces, including as a direct or indirect result of hostilities between parties to armed conflict and of incidents of indiscriminate attacks against civilian populations, and urging the Government to comply with its obligations under international humanitarian law, in particular the principles of distinction, proportionality and the obligation to take all feasible precautions to avoid and in any event minimizing harm to civilians and civilian objects;

(g) Expressing deep concern over the lack of accountability for violations and abuses committed against children, and calling upon the Government to put an end to impunity by ensuring that all perpetrators of violations and abuses are swiftly brought to justice and held accountable, including through timely and systematic investigation and prosecution;

(h) Also expressing concern regarding the continued detention of children on charges related to association with non-State armed groups in violation of the

Ministry of Defence directive on the implementation of the Action Plan, issued on 3 May 2013, and the National Intelligence Agency directive on children detained on charges related to association with non-State armed groups, which urge the Government to ensure that children are not detained for association with non-State armed groups, and stressing that children arrested during military operations should be treated primarily as victims and that in all actions concerning children the best interests of the child shall be a primary consideration;

(i) Urging the Government to develop with the support of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and the United Nations Children's Fund (UNICEF) standard operating procedures for the handover of children formerly associated with national armed forces and groups and for the protection of children in the course of military operations;

(j) Further urging the Government to establish an effective vetting mechanism to ensure that no perpetrators from its forces of violations and abuses committed against children are integrated or recruited into the national armed and security forces and to systematically withdraw all perpetrators, irrespective of their rank, and to hold them accountable;

(k) Calling upon the Government to ensure that the national disarmament, demobilization and reintegration programme and the security sector reform take fully into account at all stages the specific needs of girls and boys and the protection of their rights, including through the development of a gender- and age-sensitive disarmament, demobilization and reintegration process;

(l) Calling upon the Government to facilitate the work of the country task force on monitoring and reporting regarding dialogue with armed groups operating in the Democratic Republic of the Congo on action plan development to end and prevent all violations and abuses against children;

(m) Encouraging the Government to focus on long-term and sustainable reintegration and rehabilitation opportunities for children affected by armed conflict that are gender- and age-sensitive, including equal access to health care, psychosocial support and education programmes, as well as raising awareness and working with communities to avoid stigmatization of these children and facilitate their return, while taking into account the specific needs of girls and boys, to contribute to the well-being of children and to sustainable peace and security.

8. The Working Group agreed to recommend that the President of the Security Council transmit a letter to the Secretary-General:

(a) Requesting the Secretary-General to ensure that the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and the United Nations Children's Fund (UNICEF), as well as other relevant United Nations agencies, continue and strengthen their efforts to support, in line with their respective mandates, the Congolese authorities in fighting impunity, including through the strengthening of the criminal justice system, in implementing the standard operating procedures for age assessment in the national armed and security forces to prevent the recruitment and use of children in the Democratic Republic of the Congo, in mainstreaming the specific needs of children affected by armed conflict and the protection of their rights in all disarmament, demobilization and reintegration programmes, including through the development of a gender- and age-sensitive disarmament, demobilization and reintegration process, and in security sector reform, in providing long-term rehabilitation and reintegration programmes and opportunities to children formerly associated with national armed forces and non-State armed groups and training of the national armed and security forces on the

protection of children, in bolstering the education and health system and in establishing standard operating procedures for the handover of children formerly associated with national armed forces and groups and for the protection of children in the course of military operations, and to give full attention to violations against children in the application of the human rights due diligence policy on United Nations support to non-United Nations security forces;

(b) Further requesting the Secretary-General to ensure that the United Nations country task force on monitoring and reporting continues its advocacy for the release and reintegration of children associated with non-State armed groups and national armed forces and of children detained on charges related to association with non-State armed groups, and prioritizes its efforts to ensure that the aspects of the Action Plan relating to sexual violence and other grave violations against children by the national armed and security forces, signed on 4 October 2012 by the Government of the Democratic Republic of the Congo, are fully implemented, and to engage with non-State armed groups, with a view to developing action plans to end and prevent the recruitment and use of children, killing and maiming, and attacks on schools and hospitals, in violation of applicable international law, as well as rape and other forms of sexual violence against children and to address other violations and abuses committed against children, secure concrete commitments and advocate for appropriate response mechanisms, in the Democratic Republic of the Congo;

(c) Requesting the Secretary-General to ensure the effectiveness of the monitoring and reporting mechanism on children and armed conflict in the Democratic Republic of the Congo and of the dedicated child protection component of MONUSCO, including by ensuring that sufficient child protection capacities are allocated to the Mission, in line with its mandate, recognizing the security and logistical constraints on monitoring and reporting activities;

(d) Noting the various measures taken by MONUSCO and troop- and police-contributing countries to combat sexual exploitation and abuse, which have led to a reduction in reported cases, while expressing grave concern that sexual exploitation and abuse of children by peacekeepers continued to be a serious protection concern, calling for the continued implementation by United Nations peacekeeping operations of the Secretary-General's zero-tolerance policy on sexual exploitation and abuse, as well as ensuring full compliance of their personnel with the United Nations code of conduct, and reiterating its request to the Secretary-General to continue to take all necessary measures in this regard and to keep the Security Council informed.

9. The Working Group agreed to recommend that the President of the Security Council transmit a letter to the Chair of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo:

(a) Recalling paragraph 9 (c) of resolution 1998 (2011), by which the Security Council requested enhanced communication between the Working Group and relevant Security Council sanctions committees, including through the exchange of pertinent information on violation and abuses committed against children in armed conflict;

(b) Recalling also paragraph 17 of resolution 1698 (2006), by which the Security Council requested the Working Group, the Secretary-General, and his Special Representative for Children and Armed Conflict, as well as the Group of Experts on the Democratic Republic of the Congo, within its capabilities and without prejudice to the execution of the other tasks in its mandate, to assist the Committee established pursuant to resolution 1533 (2004) in the designation of individuals referred to in paragraph 13 of the same resolution, by communicating to the Committee any useful information without delay;

(c) Welcoming the addition, on 1 February 2018, to the Committee's sanctions list of two individuals for reasons including the recruitment and use of children, the inclusion, on 31 August 2010, in the Committee's sanctions list of the charges of recruitment and use of children against nine individuals whose names already appeared in the list, as well as the addition, between 1 December 2010 and 30 June 2014, of seven individuals and two entities to the list for the recruitment, use and/or targeting of children;

(d) Encouraging the Committee to continue considering the designation for sanctions of other individuals and entities, in accordance with the rules and guidelines of the Committee, and in this regard also encouraging the continued exchange of pertinent information between the Special Representative of the Secretary-General for Children and Armed Conflict and the Committee;

(e) Welcoming in this regard the briefings to the Committee by the Special Representative of the Secretary-General for Children and Armed Conflict on 30 April 2018, as well as previous briefings on 9 November 2016, 17 September 2014 and 21 May 2010.

10. The Working Group agreed to recommend the following to the Security Council:

(a) Ensuring that the situation of children and armed conflict in the Democratic Republic of the Congo continues to be duly taken into consideration by the Council when reviewing the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and its activities;

(b) Ensuring the continuation of a child protection mandate for MONUSCO, especially with regard to monitoring, reporting, training and mainstreaming, as well as dialogue on action plans and support in their implementation;

(c) Communicating the present document to the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo.

Direct action by the Working Group

11. The Working Group agreed to send letters from the Chair of the Working Group addressed to the World Bank and donors:

(a) Requesting the World Bank and donors to provide funding and assistance to support the Government of the Democratic Republic of the Congo and relevant humanitarian and development partners in implementing the standard operating procedures on age assess nent by the national armed and security forces to prevent the recruitment and use of children, in sustaining ongoing national programmes for the strengthening of the criminal justice system, in training of the national armed and security forces on the protection of children, in providing long-term rehabilitation and reintegration programmes that are gender- and age-sensitive to children formerly associated with national armed and security forces or non-State armed groups, in ensuring timely and appropriate care for child survivors of sexual and gender-based violence through facilitating provision of services for victims and in bolstering the education and health system, and to keep the Working Group informed, as appropriate;

(b) Calling upon the World Bank and donors to provide the necessary financial resources in support of the monitoring and reporting mechanism and the full implementation of the Action Plan in aspects relating to sexual violence and other grave violations against children by the national armed and security forces signed on 4 October 2012 by the Government of the Democratic Republic of the Congo;

(c) Requesting the World Bank and donors to provide long-term and sustainable funding for mental health and psychosocial programming in humanitarian

contexts and ensuring that all affected children receive timely and sufficient support, and encouraging the World Bank and donors to integrate mental health and psychosocial services into all humanitarian responses;

(d) Further calling upon the World Bank and donors to support the Government efforts in the promotion of birth and late-birth registration as a means to prevent recruitment and use of children in the Democratic Republic of the Congo and to guarantee the comprehensive disarmament, demobilization and reintegration of children associated with national armed and security forces or non-State armed groups.

Annex

[Original: French]

Statement by the Chargé d'affaires a.i. of the Permanent Mission of the Democratic Republic of the Congo to the United Nations on the report of the Secretary-General on children and armed conflict in the Democratic Republic of the Congo, made at the 72nd meeting of the Working Group on Children and Armed Conflict

Madam,

First and foremost, I would like to thank you for taking the initiative of organizing this meeting regarding the situation of children in armed conflict in the Democratic Republic of the Congo.

I would also like to thank the Working Group, whose commitment and determination in fulfilling its mandate reflect a genuine will to contribute to the return of peace and stability and to eradicate the problem of child soldiers in my country.

I wish to express my appreciation to Ms. Virginia Gamba, Special Representative of the Secretary-General for Children and Armed Conflict, and to commend her commitment and dedication to child welfare.

Madam,

By way of reminder, it is worth recalling that the eastern part of my country has faced recurring armed conflict for over a decade, resulting in numerous deaths and material losses. That state of war is at the root of the sexual violence and the violations and abuse to which children in that part of my country continue to be subjected.

To date, the various armed groups continue to recruit children. As was the case during the uprisings, children act as fighters, miners, messengers, sexual slaves, spies and ammunition carriers.

Allow me to recall all of the legislative and regulatory measures that have been taken to strengthen the fight against the recruitment of children with a view to better responding to the problem and ultimately eliminating it. Those measures include the following:

1. Decree-Law No. 66 (2000) of 9 June 2000 concerning the demobilization and reintegration of vulnerable groups present in fighting forces.
2. Decree No. 03/041 of 18 December 2003 establishing the Interministerial Committee for Disarmament, Demobilization and Reintegration.
3. Order No. 07/056 of 14 July 2007 establishing the National Implementation Unit for the National Disarmament, Demobilization and Reintegration Programme.
4. Law No. 09/001 of 10 January 2009 on the protection of children.
5. On 4 October 2012, an action plan was signed to tackle the recruitment and use of children and other grave violations of children's rights by the armed forces and the security services of the Democratic Republic of the Congo.
6. The Democratic Republic of the Congo has strictly enforced those laws and regulations. From 2003 to 2016, the National Disarmament, Demobilization and Reintegration Programme thus succeeded in removing 53,548 children, including 9,485 girls, from armed forces and groups. It supported and provided various resources to 208 schools, which brought the children back into the school

system, and supported 417 vocational institutions, which enabled them to learn a trade.

7. The introduction of operational standards to determine and assess children's ages made it possible to avoid drafting minors into the Forces armées de la République Démocratique du Congo (FARDC) during recruitment drives.

8. Strengthened identity checks introduced in accordance with those operational standards made it possible to separate 453 children from FARDC from July 2015 to May 2016; 330 of those children were reunited with their families. The 123 children who were separated from the Kamina military base have been reunited with their families in the former Kasai provinces via the city of Lubumbashi, with logistical support from the Congolese Government and its partners, namely the United Nations Children's Fund (UNICEF) and the International Committee of the Red Cross.

9. Those measures have been bolstered by a tried-and-tested technological process for the biometric registration of FARDC soldiers, along with the formal and compulsory use of banking services.

10. In addition, intensive specialized rehabilitation programmes have been established, and buildings have been constructed with the assistance of the National Institute for Professional Training, with funding from the Government and with Japanese cooperation. As a result, over 1,500 survivors and children who have left armed groups have thus learned small trades in Kibumba and Rusthuru, in North Kivu province, and in Bunia and Aru, in Ituri province. Six classrooms have been built and equipped in Luiza territory, in Central Kasai, with a view to bringing children back into the school system after they have left or been separated from armed groups.

Since the elimination of child recruitment, FARDC has set itself the goal of zero children within its ranks. During recruitment, before recruits are sent to a training centre, their identity is verified and any minors are separated. FARDC is working in synergy with protection agencies, namely UNICEF and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).

Madam,

In one case, officers in Kamina who allegedly removed children from screening while monitors were at work have been identified, and the Chief of Staff has opened disciplinary proceedings. The Minister of Defence is awaiting the findings of the disciplinary proceedings before taking a decision. The proceedings were described at the meeting of the joint technical working group on 27 April 2018.

Coming back to the contents of the preliminary report, the current report states that the defence and security forces of the Democratic Republic of the Congo and armed groups have recruited and used children, subjected children to prolonged detention, murdered and mutilated children, committed rapes and sexual violence, attacked protected buildings and abducted children.

It should, however, be noted that according to that very report, the main perpetrators of those grave violations of children's rights continue to be the domestic and foreign armed groups.

The Government of the Democratic Republic of the Congo is determined to continue operations to eradicate the militias just as it defeated the Kamuina Nsapu movement. On 13 January 2018, the Minister of National Defence, War Veterans and Reinsertion announced that military operations against the Allied Democratic Forces (ADF) would resume in Beni territory. On the same occasion, he reminded FARDC

of the obligation to respect international law and rules of engagement during the operations.

It is worth drawing attention to the origin of the Bani Mura militia, whose crimes against the rights of the child are underscored in the current preliminary report. The militia was created by individuals from the Pende and Chokwe ethnic groups who were based in locality of Mogamba in the territory of Kamonia, Kasai province, in order to confront the expansion of Kamuina Nsapu. The latter was in turn the product of a local conflict in Dibaya, where it ruined communities and expanded rapidly in the Kasai area.

Using war weapons, hunting weapons and knives, the Kamuina Nsapu militia committed several abuses and massive violations. In particular, it forcibly recruited and used children; killed, decapitated and mutilated children; and destroyed religious, health care, educational and public infrastructure.

Faced with that situation, the President of the Republic enacted Order No. 017-012 of 9 March 2017, which put in place the Greater Kasai operational sector, enabling FARDC to deploy there in support of the Congolese National Police with a view to bringing an end to the conflict and restoring public order while respecting the rules of engagement. The defence and security forces responded by combating all militias, including the Bana Mura militia

The defence and security forces were thus able to free a considerable number of children connected with armed groups and return them to their families, acting through protection structures. The Kamuina Nsapu militia accounts for 195 of those children, 54 of whom were handed over to UNICEF and 141 to their families.

As regards the recruitment and use of children, I should mention that in the course of 2017, FARDC formally recruited individuals who wanted to follow a military career. The process was consistent with the directive enacting the plan of action against the recruitment and use of children. It took place in cooperation with the United Nations child protection team from UNICEF and MONUSCO, which was active in the place of recruitment and in the various instruction and training centres. Three cases of use detailed in the report were not detected by those inspections. The Congolese National Police did not recruit in 2017. It is inconceivable to allege that recruitment took place in Haut-Katanga and South Kivu without specifying the exact number for each of the two provinces. The Democratic Republic of the Congo therefore looks forward to receiving more specific information regarding the children's identities and places of recruitment. The same applies to the allegations that were made regarding FARDC.

Thank you for your attention.